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07 UNITED STATES DISTRICT COURT
08 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09 UNITED STATES OF AMERICA,)
10 Plaintiff,)
11 v.) Case No. 06-263M
12 TEDDY JAMES MORRIS,) DETENTION ORDER
13 Defendant.)
14 _____)

15 Offense Charged:

16 Felon in Possession of a Firearm—Armed Career Criminal, in violation of 18 U.S.C.
17 §§ 922(g)(1) and 924 (e).

18 Date of Detention Hearing: August 14, 2006.

19 On June 2, 2006, the defendant made his initial appearance. He was released on
20 bond, pending a detention hearing. On June 7, 2006, a detention hearing was held before
21 United States Magistrate Judge James P. Donohue. Because he tested positive for a
22 controlled substance, the defendant was released on bond that included a 30-day stay at a
23 halfway house. On July 7, 2006, the halfway house condition was lifted, but all other terms
24 of the bond continued, including prohibitions regarding alcohol and controlled substances,
25 requirements that he not commit any other violations of law, and report any contacts with
26 law-enforcement personnel promptly. On August 8, 2006, in response to allegations of

01 violations of the appearance bond, the defendant was ordered detained, pending an
02 evidentiary hearing. Dkt. No. 20. On August 14, 2006, an evidentiary hearing was
03 scheduled before the undersigned Magistrate Judge. At the hearing, the defendant was
04 advised of the following alleged bond violations:

05 1. By using marijuana on or about July 11, 2006, Teddy James Morris has
06 violated the bond condition that he not use, consume, or possess a controlled substance unless
07 the substance is prescribed to him by a physician.

08 2. By failing to submit to testing on July 27, 2006, Teddy James Morris has
09 violated a special condition of bond requiring he submit to drug and alcohol testing as
10 directed by Pretrial Services.

11 3. Teddy James Morris has violated a standard condition of his appearance bond
12 requiring that he not commit a federal, state, or local crime during the period of release, by
13 Driving Under the Influence on or about July 22, 2006.

14 4. Teddy James Morris has violated a standard condition of his appearance bond
15 requiring that he not commit a federal, state, or local crime during the period of release, by
16 Failing to Appear for arraignment on July 24, 2006, as required.

17 5. Teddy James Morris has violated a Pretrial Services Condition of Supervision
18 requiring that he notify his Pretrial Services Officer within one business day of arrest or
19 questioning by a law enforcement officer, by failing to notify him on July 24, 2006, as
20 required.

21 6. Teddy James Morris has violated a special condition of his appearance bond,
22 which requires that he comply with drug testing, by failing to call the telephone scheduling
23 system as directed by Pretrial Services, on July 24, 2006, and each day thereafter.

24 The defendant was advised of his rights. He admitted violations 1, 2, 3, 4, 5, and 6.
25 The Court then considered whether the bond previously issued should be revoked. Pursuant
26 to CrR 32.1, CrR46(c) and 18 U.S.C. § 3142(f), and based upon the factual findings and

01 statement of reasons for detention hereafter set forth, the Court finds the following:

02 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

03 (1) On June 2, 2006, defendant was released on bond with pretrial supervision and
04 special conditions, pending a detention hearing. At his detention hearing, the Court received
05 evidence that the defendant had detectable controlled substances in his system, which he
06 claimed were there prior to the bond being issued. The defendant was released on a revised
07 bond with a provision that he reside for thirty days (30) in a halfway house. He was
08 specifically advised of the need to be in full compliance with the bond restrictions in the
09 future.

10 (2) The defendant has failed to abide by the terms of both bonds, and has admitted
11 the same.

12 (3) The defendant is facing very serious charges that are punishable by a lengthy
13 period of time if he is convicted of the charges in this case.

14 (4) The defendant appears to have on-going serious drug and alcohol problems.

15 (5) The defendant appears unwilling or unable to comply with the terms of
16 supervision.

17 (6) There appear to be no conditions or combination of conditions other than
18 detention that will reasonably assure the defendant's appearance at future Court hearings as
19 required, and that will address the defendant's danger to the community.

20 IT IS THEREFORE ORDERED:

21 (1) Defendant shall be detained pending trial and committed to the custody of the
22 Attorney General for confinement in a correction facility separate, to the
23 extent practicable, from persons awaiting or serving sentences or being held in
24 custody pending appeal;

25 (2) Defendant shall be afforded reasonable opportunity for private consultation
26 with counsel;

- 01 (3) On order of a court of the United States or on request of an attorney for the
02 government, the person in charge of the corrections facility in which
03 defendant is confined shall deliver the defendant to a United States Marshal
04 for the purpose of an appearance in connection with a court proceeding; and
05 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
06 counsel for the defendant, to the United States Marshal, and to the United
07 States Pretrial Services Officer.

08 DATED this 14th day of August, 2006.

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11 JAMES P. DONOHUE
12 United States Magistrate Judge
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